

**561—10.8(17A,455A) Filing of petition.** A petition for a waiver or variance shall be submitted in writing to the department as follows:

**10.8(1) Contested cases.** If the petition relates to a pending contested case, the petition shall be filed in the contested case proceeding. The department may elect not to rule on the waiver petition until the resolution of the contested case proceeding.

**10.8(2) Other.** If the petition does not relate to a pending contested case, the petition may be submitted to the director.